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—CIA-Fairfax Connection— Was There A Bug?

by Joseph Gatins

Fearing that someone was bugging his offices in the county courthouse, Fairfax Commonwealth's Attorney Robert F. Horan Jr. in early 1971 learned that the CIA then had someone else under surveillance in Fairfax City, the state prosecutor said Wednesday.

Horan said he was unable to ascertain if that "surveillance" included electronic bugging or whom the CIA was watching.

Horan said he learned of the surveillance when a Fairfax County police officer — whom he refused to identify — checked at Horan's request, a man sitting in an unmarked car across the street from the Commonwealth's Attorney's offices. It was a CIA man, with CIA credentials, working on the agency's surveillance operation in relation to "national security," and not bugging Horan's offices as the prosecutor feared.

It was also in early 1971 that Horan and a telephone company security expert — while checking Horan's office for bugs alone and at night — found evidence of a "radio transmission field" coming from the direction of downtown Fairfax City.

Visual and photo surveillance of the now-defunct Roland Studio — located less than a block from the courthouse — is known to have been undertaken by the CIA some two weeks prior to CIA and Fairfax City police involvement in a warrantless break-in at the studio, which occurred on a Friday night in February 1971.

Neither the Rockefeller Commission report on CIA domestic activities — which first mentioned the break-in — nor news accounts following Fairfax City Police Cpl. Robert L. Fleck's admission to involvement in the break-in, have made any mention of electronic surveillance, or bugging, in connection with the Roland Studio surveillance and break-in.

Horan on Wednesday

gave two reasons for suspecting bugs in his office. The first stemmed from a fear that "information was coming out of my office," which Horan said came up in connection with his prosecution of a pyramid fraud scheme. Horan said he had "some reason to believe" that action taken in court on behalf of defendants in that case may have stemmed from knowledge of conversations in his office, possibly acquired through bugging. The second reason had to do with the suspicious car across the

street from the courthouse which Horan eventually learned was a CIA car on its own surveillance mission.

Horan said he fixed the date of the expert's "debugging" job as "early January 1971," but has no written record of the exact date.

Marshall E. Wood, the C&P Telephone Company security chief in this area, and the man who swept Horan's office for bugs said this week that he no longer has a written record of the "debugging" effort. He did, however, fix the date of the operation within the "3 or 4 days" following Friday, Feb. 18, 1971.

Wood's memory was jogged toward that date, he said in a Monday interview, because the Horan office job was done with a special electronic gadget made to detect bugs and transmitters — an instrument he claimed not to have had in his possession prior to Feb. 18. That was the date of an AT&T conference in Northern Virginia for which, Wood said, he especially borrowed the same bug detector to make a sweep of the conference room.

Earlier this week, Horan said his office "debugging"

conducted by Wood "had nothing to do with the CIA."

On Wednesday, the Fairfax Commonwealth's Attorney said he "just had no idea what they (the CIA) were up to" in Fairfax City.

Horan said he did not pursue the CIA surveillance "any further" than to find out which agency was responsible for doing it. Under the 1968 Omnibus Crime Bill in effect at the time, Horan said, "the executive branch has the power to do electronic surveillance" where an investigation involves foreign nationals or national security.

The owners of Roland Studio at the time were Deborah J. Fitzgerald, an ex-CIA file clerk whose father is now employed by the CIA, and Orlando Nunez Jr., a native-born Cuban who, through an attorney, has denied any CIA connection.

One person who remembered the two studio owners, and provided further information on the CIA's surveillance at the time, was Herndon resident Walter Daniels. Daniels confirmed Corporal Fleck's statement two weeks ago that the CIA had used the second floor of

the Friendship Grill — across the street from Roland Studio at 10419 Main Street — to survey the photo shop.

"Yeah, I think they had tape recorders up there," Daniels said in reference to the surveillance, adding that he saw cameras there too. Daniels was a cook at the Grill in 1971.

Daniels added that Fairfax City police came in one day and removed another Grill employee, Robert Sweet, from his second floor room so that CIA or "city police boys" — he didn't recall for sure — could conduct night and day surveillance.

"A detective got me," Sweet said in an interview last week, "and drove me in an unmarked car over to Vienna." For two weeks, Sweet said, he lived in another restaurant in Vienna.

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